

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

HUBERT JONES,

Plaintiff

V.

DAVID JONES;

MIKE SHAD CHRYSLER P/J/E;

DAIMLERCHRYSLER SERVICES OF
NORTH AMERICA, LLC;

EQUIFAX INFORMATION SERVICES,
LLC, TRANS UNION, EXPERIAN,

CORNELIUS JENKINS, individually;

CORNELIUS JENKINS, as agent for

Mike Shad Chrysler P/J/E, CORNELIUS

JENKINS, as agent for DaimlerChrysler

Services of North America, LLC; and A-

Z,

Defendants

CIVIL ACTION NO:
1:05-CV-00612-MHT-SRW

JOINT MOTION FOR CONTINUANCE AND MEMORANDUM IN SUPPORT

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, Hubert Jones, and Defendants, Mike Shad Chrysler P/J/E, Equifax Information Services, LLC, and Trans Union LLC, Experian, and ("Parties") files this their Motion for Continuance and Memorandum in Support, and would respectfully show the Court as follows:

I. INTRODUCTION

1. Plaintiff brought this action alleging Conversion, Issuing a False Financial Statement, Impersonation, Outrage Fraud, Invasion of Privacy, Negligence, violations of the Fair Credit Reporting Act 15 U.S.C. §§ 1681, *et seq*, Libel, Slander and Defamation against the Defendants. The trial date was set for January 8, 2007 in the Court's

Uniform Scheduling Order. Doc. 18. The Parties move for a continuance of six (6) months of the trial date and all other deadlines due to the need for the Defendants and Plaintiff to have sufficient time to conduct discovery in this matter.

II. ARGUMENTS AND AUTHORITIES

2. On March 23, 2006, this Court entered its Uniform Scheduling Order ("Order") setting this matter for trial on January 8, 2007. At that point, Defendants Equifax Information Service LLC, Trans Union, LLC, Experian, Cornelius Jenkins and Daimler Chrysler Services of North America, LLC, were not parties to this suit. Those Defendants were not added to this lawsuit until July 27, 2006 when Plaintiff amended his Complaint. Doc. 24.

3. Plaintiff's original Complaint against Defendants David Jones and Mike Shad Chrysler P/J/E was removed to this Court on June 29, 2005. On July 26, 2006, this Court granted Plaintiff's motion to add the additional Defendants and amend his Complaint. The Amended Complaint was filed on July 27, 2006. The additional Defendants were served with the Amended Complaint on August 7 and 8, 2006. Doc. 26.

4. Due to the addition of Defendants Daimler Chrysler Services of North America LLC, Cornelius Jenkins, Equifax Information Services LLC, Trans Union LLC, and Experian, and the discovery which must be conducted, all Parties will need additional time to properly conduct discovery in this matter. Based on the number of Parties and claims asserted by the Plaintiff significant discovery must be conducted by all parties. Therefore, it is the Parties' belief that the trial date and all other deadlines

should be continued by six (6) months. Accordingly, this Motion is not just for delay but it is needed so that justice may be done.

WHEREFORE, PREMISES CONSIDERED, the Parties pray that the Court grant a continuance of six (6) months of the trial date and all other deadlines due to the extensive discovery required in this matter.

Respectfully submitted,

/s/ Donna Coon Crooks

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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of September, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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and I hereby certify that I have mailed by U.S. Postal Service the document to the following non-CM/ECF participants:

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